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**PATENT**  
Attorney Docket No. 39209

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
TURNER ET AL.

Group Art Unit: 2662

Application No. 09/705,450

Examiner: QURESHI, AFSAR M

Filed: November 2, 2000

For: Method and Apparatus for Controlling  
Input Rates Within a Packet Switching  
System

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**JAN 3 0 2002**

**Technology Center 2600**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application. The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

A bona fide attempt is made to comply with §§ 1.97-98. The filing of this information disclosure statement should not be construed as a representation that a search has been made, nor is it to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b). Additionally, the submission of this IDS is for the purpose of providing a complete record and is not a concession that the references are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so. Furthermore, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

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**The Information Disclosure Statement is being filed:**

- ☒ Under § 1.97(b): (1) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☐ Under § 1.97(c): after (1), (2), or (3) above (i.e., after paragraph (b)) and before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by:
- ☐ the statement specified in 37 C.F.R. § 1.97(e):
    - ☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
    - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
  - ☐ the fee set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ Under § 1.97(d): after the period specified in § 1.97(c) and before payment of the issue fee, and is accompanied by:
- ☐ the statement specified in 37 C.F.R. § 1.97(e):
    - ☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
    - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
  - ☐ the fee set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).

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**Copies Of The References**

- ☒ Enclosed herewith are copies of the references listed on the enclosed Form PTO-1449. A concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language is included either separate from applicant's specification or incorporated therein. Furthermore, a copy of the translation of a non-English language reference is included herewith if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c).
- ☐ A copy of a foreign search report is enclosed herewith.
- ☐ Per 37 C.F.R. § 1.98(d), copies of the references listed on the enclosed Form PTO-1449 are not provided as they were previously submitted to, or cited by, the Office in an earlier application, and (1) the earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120; and (2) the information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this 37 C.F.R. § 198. The details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status ( <i>check one</i> )		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

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**Fees**

☒

No fee is owed by the applicant(s).

☐

The IDS Fee of \$180.00 is due.

☐

Attached is check No. \_\_\_\_\_ in the amount of \$180.

☐

Charge Deposit Account No. 501430 in the amount of \$180.

**Authorization To Charge Additional Fees and Credit any Overpayment**

☒

If any additional fees are owed in connection with this communication, please charge  
Deposit Account No. 501430.

☒

Credit Account No. 501430 for any overpayment in connection with this communication.

Date: January 24, 2002

Respectfully submitted,

The Law Office of Kirk D. Williams

By



Kirk D. Williams, Esq., Reg. 42,229

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303-282-0151

303-778-0748 (facsimile)

FORM PTO-1449 MODIFIED		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Application Number	09/705,450
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	November 2, 2000
				First Named Inventor	Jonathan S. Turner
				Group Art Unit	2662
				Examiner Name	QURESHI, AFSAR M
Sheet	1	of	1	Attorney Docket No.	39209

U.S. PATENT DOCUMENTS				
EXAMINER'S INITIALS	Cite No.	Document Number	ISSUE or PUBL. DATE	Name of Patentee or Applicant of Cited Document
	AA	US - 5402415	03-28-1995	Jonathan S. Turner
	AB	US - 5229991	07-20-1993	Jonathan S. Turner
	AC	US - 5260935	11-09-1993	Jonathan S. Turner
	AD	US - 5339311	08-16-1994	Jonathan S. Turner
	AE	US - 5179556	01-12-1993	Jonathan S. Turner
	AF	US - 5179551	01-12-1993	Jonathan S. Turner
	AG	US - 4901309	2-13-1990	Jonathan S. Turner
	AH	US - 4849968	07-18-1989	Jonathan S. Turner
	AI	US - 4829227	05-09-1989	Jonathan S. Turner
	AJ	US - 4734907	03-29-1988	Jonathan S. Turner
	AK	US - 4494230	01-15-1985	Jonathan S. Turner
	AL	US - 4491945	01-01-1985	Jonathan S. Turner
	AM	US - 4630260	12-16-1986	Toy et al.
	AN	US - 4893304	01-09-1990	Giacopelli et al.
	AM	US - 5127000	06-30-1992	Michel A. R. Henrion
	AN	US - 5173897	12-22-1992	Schrodi et al.
	AO	US - 5253251	10-12-1993	Toshiya Aramaki
	AP	US - 5842040	11-24-1998	Hughes et al.

EXAMINER'S INITIALS	Cite No.	OTHER DOCUMENTS
	AQ	ZUBIN DITTIA, "Integrated Hardware/Software Design of a High Performance Network Interface," March 2000, Doctor of Science Thesis, Sever Institute of Technology, Washington University, St. Louis, Missouri, 139 pages.
	AR	JONATHAN S. TURNER, "An Optimal Nonblocking Multicast Virtual Circuit Switch," June 1994, Proceedings of Infocom, 8 pages.
	AS	CHANEY ET AL., "Design of a Gigabit ATM Switch," Feb. 5, 1996, WUCS-96-07, Washington University, St. Louis, MO, 20 pages.
	AT	TURNER ET AL., "System Architecture Document for Gigabit Switching Technology," Aug. 27, 1998, Ver. 3.5, ARL-94-11, Washington University, St. Louis, MO, 110 pages.